

## COUNTY COUNCIL

OF

HARFORD COUNTY, MARYLAND

BILL NO. 76-75 (as amended)

Introduced by Council President Freeman at the request of the County  
Legislative Day No. 76-28 Date: August 10, 1976 Executive

AN ACT to repeal Section 254, heading, "Explosives", Section 264, heading, "Fortune-Telling", and Section 265, heading, "Foxes", all of the Code of Public Local Laws of Harford County (1965 Edition, as amended), and to add new Article 1, heading, "Offenses Against Property"; new Article 2, heading "Offenses Against Public Peace, Safety and Morals"; and new Article 3, heading, "Littering", to Chapter 14, heading, "Morals and Conduct", of the Harford County Code (1975 Edition, as amended); "Offenses Against Property" to provide for the protection of County property; "Offenses Against Public Peace, Safety and Morals" to provide that loitering in public areas shall be prohibited; to prohibit fortune-telling; and to provide for certain public library regulations; "Littering" to provide that the throwing of trash be prohibited in Harford County; and further to provide certain penalties for the violation of the Articles and generally relating to morals and conduct in Harford County, Maryland.

By the Council, August 10, 1976

Introduced, read first time, ordered posted and public hearing scheduled

on: September 7, 1976

at: 7:45 P.M.

By Order: Angela Markowski, Secretary

## PUBLIC HEARING

Having been posted and Notice of time and place of hearing and Title of Bill having been published according to the Charter, a public hearing was held on September 7, 1976 and concluded on September 7, 1976.

Angela Markowski, Secretary

BILL NO. **76-75**  
AS AMENDED

1 Section 1. *Be It Enacted By The County Council Of Harford County,*  
2 *Maryland*, that Section 254, heading, "Explosives", Section 264,  
3 heading, "Fortune-Telling", and Section 265, heading, "Foxes",  
4 of the Code of Public Local Laws of Harford County (1965 Edition,  
5 as amended), be, and they are hereby repealed, and new Article 1,  
6 heading, "Offenses Against Property", Article 2, heading, "Offenses  
7 Against Public Peace, Safety and Morals", and Article 3, heading,  
8 "Littering", be, and they are hereby added to Chapter 14, heading,  
9 "Morals and Conduct", of the Harford County Code (1975 Edition,  
10 as amended), to stand in lieu of the Sections repealed, all to  
11 read as follows:

12 CHAPTER 14. MORALS AND CONDUCT.

13 ARTICLE 1. OFFENSES AGAINST PROPERTY.

14 Section 14-1. Damaging or Removing County Property; Penalty.

15 No person shall damage, destroy, deface, remove and/or  
16 carry away any real or personal property belonging to Harford  
17 County. The violator shall be liable to Harford County for the  
18 replacement or repair of the County property affected.

19 Section 14-2. Official Signs; Removal Prohibited.

20 (a) No unauthorized person shall knowingly remove or  
21 deface any sign posted on any building or structure placed  
22 thereon by any County department or agency or officer or employee  
23 thereof, or other person, pursuant to law.

24 (b) As used in this Section, the word, sign, shall  
25 mean and include without limitation any permit, notice, license,  
26 order or other indication of official governmental action or  
27 notice under any County law.

28 (c) Penalty. It shall be a misdemeanor for any  
29 person to violate any provision of this Article, and upon  
30 conviction of such violation, said person shall be punished by a  
31 fine of not more than One Thousand Dollars (\$1,000) or imprisonment  
32 of not more than six (6) months, or both.

1 ARTICLE 2. OFFENSES AGAINST PUBLIC PEACE, SAFETY AND MORALS.

2 Section 14-3. (Reserved)

3 Section 14-4. Loitering.

4 (a) Definitions as used in this Section:

5 (1) Loitering shall mean remaining idle in  
6 essentially one location and shall include the concept of  
7 spending time idly; to be dilatory; to linger; to stay; to  
8 saunter; to delay; to stand around and shall also include the  
9 colloquial expression, hanging around.

10 (2) Public Place shall mean any place to which  
11 the general public has access and a right to resort for business,  
12 entertainment or other lawful purpose, but does not necessarily  
13 mean a place devoted solely to the uses of the public. It shall  
14 also include the front or immediate area of any store, shop,  
15 restaurant, tavern or other place of business and also public  
16 grounds, areas or parks.

17 (b) Prohibited Conduct:

18 (1) Loitering - Police order to disperse -  
19 Penalty. It shall be unlawful for any person to loiter, loaf,  
20 wander, stand or remain idle either alone and/or in consort  
21 with others in a public place in such manner so as to:

22 (A) Obstruct any public street, public  
23 highway, public sidewalk or any other public place or building by  
24 hindering or impeding or tending to hinder or impede the free and  
25 uninterrupted passage of vehicles, traffic or pedestrians.

26 (B) Commit in or upon any public street,  
27 public highway, public sidewalk or any other public place or  
28 building any act or thing which is an obstruction or interference  
29 to the free and uninterrupted use of property or with any  
30 business lawfully conducted by anyone in or upon or facing or  
31 fronting on any such public street, public highway, public  
32 sidewalk or any other public place or building, all of which

1 prevents the free and uninterrupted ingress, egress and regress,  
2 therein, thereon and thereto.

3 (c) When any person causes or commits any of the  
4 conditions enumerated in Subsection (b) herein, a police officer  
5 or any law enforcement officer shall order that person to stop  
6 causing or committing such conditions and to move on or disperse.  
7 Any such person who fails or refuses to obey such orders shall be  
8 guilty of a misdemeanor and, upon conviction thereof, shall be  
9 punished by a fine of not more than One Thousand Dollars (\$1,000)  
10 or imprisonment of not more than six (6) months, or both.

11 (d) Nothing herein shall be construed to prohibit  
12 orderly and legal picketing or other lawful assembly.

13 Section 14-5. (Reserved)

14 Section 14-6. Shooting Foxes Pursued by Hounds Prohibited;  
15 Penalty.

16 (a) Any person or persons who shall shoot, kill or  
17 wound any fox or foxes while being pursued by a hound or hounds  
18 within the limit of Harford County shall be guilty of a  
19 misdemeanor, and upon conviction thereof shall pay a fine of  
20 One Hundred Dollars (\$100) for every such offense.

21 Section 14-7. Fortune-Telling Prohibited; Penalty.

22 (a) Any person in Harford County who shall ask, demand,  
23 charge, or accept any remuneration, gratuity or anything of value  
24 for forecasting or foretelling or for pretending to forecast or  
25 foretell the future of another by cards, palmreading or any  
26 other scheme, practice or device, shall be guilty of a misdemeanor  
27 and upon conviction thereof shall be fined not less than  
28 Twenty-five Dollars (\$25), nor more than Five Hundred Dollars  
29 (\$500) or imprisoned for sixty (60) days or less, or both.

30 Section 14-8. Public Library Regulations.

31 (a) No person shall, in or about the Public Library  
32 facilities:

1 (1) Engage in loud talking in such manner or  
2 volume or to otherwise create such noise as unreasonably to  
3 disturb other individuals using the library facilities;

4 (2) Obstruct or unreasonably interfere with an  
5 individual's use of any entrance, exit, aisle or library  
6 facility;

7 (3) Smoke or carry about the person a lighted  
8 cigarette, cigar, pipe or other material in the library building  
9 except in such portions of the premises as shall be posted as  
10 smoking areas;

11 (4) Litter, deface, spit upon or otherwise injure  
12 any library property;

13 (5) Mutilate or deface a book, record, work of art,  
14 or other library material;

15 (6) Eat or drink any food or beverage in the  
16 library building except where a special permit has been granted  
17 for functions sponsored by or under agreement with the Public  
18 Library in areas so designated by such permit;

19 (7) Violate any rule or regulations promulgated  
20 for the conduct of the library by the Board of Library Trustees  
21 of the library, provided notice of such rule or regulation is  
22 posted upon the library premises in a conspicuous place and has  
23 been adopted pursuant to Section 807 of the Charter of Harford  
24 County, Maryland.

25 (b) It shall be a misdemeanor for any person to violate  
26 any provision of this Section and, upon conviction thereof,  
27 shall be punished by a fine of not more than Two Hundred Fifty  
28 Dollars (\$250) or imprisonment for not more than ten (10) days,  
29 or both.

30 ARTICLE 3. LITTERING.

31 Section 14-9. Definitions.

32 (a) As used in this Article:

1 (1) Garbage shall mean any animal and vegetable  
2 wastes resulting from the handling, preparation, cooking and  
3 consumption of food;

4 (2) Improved property shall mean real property on  
5 which has been erected dwellings, buildings or other structures  
6 whether inhabited or vacant, and all grounds appurtenant thereto;

7 (3) Litter shall mean garbage, rubbish and refuse  
8 and all other waste material which creates or tends to create  
9 a danger to public health, safety, welfare and property;

10 (4) Rubbish and refuse shall mean all solid waste  
11 consisting of both combustible waste (including, but not limited  
12 to paper, cardboard, wood, cloth, bedding material, yard and lawn  
13 clippings not located in an established compost pile and dead  
14 trees and limbs) and noncombustible waste (including, but  
15 not limited to metals, glass, crockery, tin cans, junked  
16 household appliances, abandoned or wrecked motor vehicles and  
17 any building and construction wastes);

18 (5) Unimproved property shall mean real property  
19 which is not presently improved although it may have been  
20 improved at one time.

21 Section 14-10. Applicability of Article.

22 (a) The provisions of this Article shall apply to any  
23 property not specifically controlled by other provisions of the  
24 Harford County Code.

25 (b) FARM OPERATIONS WHICH ARE A NECESSARY PART OF  
26 NORMAL AGRICULTURAL PURSUITS SHALL BE EXEMPT FROM THE PROVISIONS  
27 OF THIS ARTICLE.

28 Section 14-11. Litter in Public Places.

29 (a) No person shall throw, place, deposit or cause to  
30 be thrown, placed or deposited, litter or any dangerous or  
31 offensive substances in or upon any public place except in a  
32 public receptacle or in an authorized private receptacle for

1 private collection.

2 (b) A public receptacle shall not be used for the  
3 deposit of household garbage.

4 Section 14-12. Throwing of Litter.

5 (a) No person shall throw or cause to be thrown litter  
6 or any dangerous or offensive substance at a car, vehicle, house  
7 or fence.

8 Section 14-13. Litter from Vehicles.

9 (a) No person shall throw or deposit litter upon a  
10 public or private place from a vehicle.

11 (b) No person shall drive or move a truck or other  
12 vehicle unless the vehicle is so constructed, loaded or covered  
13 as to prevent any load or contents of litter from being blown or  
14 deposited upon any public or private place.

15 (c) No person shall drive or move any vehicle or truck  
16 within the County the wheels or tires of which carry on to or  
17 deposit in any street, alley or other public or private place  
18 mud, dirt, sticky substance or foreign matter of any kind.

19 Section 14-14. Owner to Maintain Premises Free of Litter.

20 (a) The owner or person in control of private property  
21 shall maintain the premises free of litter at all times.

22 (b) This Section shall not prohibit the storage of  
23 litter in private receptacles for collection.

24 Section 14-15. Depositing Trash or Junk Restricted.

25 (a) No person shall throw, dump or deposit any trash,  
26 junk or other refuse upon the land or property of another without  
27 first obtaining the written consent of the owner or under the  
28 personal direction of such owner.

29 (b) No person shall throw, dump or deposit any trash,  
30 junk or other refuse upon any public highway or public right-  
31 of-way of the County.

32 Section 14-16. Litter on Vacant Lots.

1 No person shall throw, place, deposit or permit to be  
2 thrown, placed or deposited, upon any public or private lot,  
3 litter of any description.

4 Section 14-17. Placement of Litter in Receptacles.

5 A person placing litter in public receptacles or in  
6 private receptacles shall do so in a manner so as to prevent it  
7 from being blown, carried or deposited by the elements upon  
8 public places or private property.

9 Section 14-18. Accumulation or Depositing Litter Prohibited.

10 (a) No person shall allow litter to be deposited or to  
11 accumulate, either temporarily or permanently, on his property.

12 This Article shall not apply to:

13 (1) Persons or property covered under the  
14 Environmental Control Law of Harford County; or,

15 (2) Those persons who store such litter and/or  
16 weeds in private receptacles for collection, or under controlled  
17 conditions for industrial processing, such as recycling (scrap  
18 metal, etc.).

19 SECTION 14-19. PENALTY.

20 IT SHALL BE A MISDEMEANOR FOR ANY PERSON TO VIOLATE ANY  
21 PROVISION OF THIS ARTICLE AND, UPON CONVICTION THEREOF, SHALL BE  
22 PUNISHED BY A FINE OF NOT MORE THAN TWO HUNDRED FIFTY DOLLARS  
23 (\$250.00) OR IMPRISONED FOR NOT MORE THAN TEN (10) DAYS, OR BOTH.

24 Section 2. *And Be It Further Enacted*, that if any provision or  
25 provisions of this Act, or the particular application thereof  
26 shall be held to be invalid, the remaining provisions and their  
27 application shall not be affected thereby. Should any provision  
28 hereof be inconsistent with any rule, regulation or policy of  
29 any other agency having jurisdiction, such provision shall be  
30 invalid, but the remaining provisions and their application shall  
31 not be affected thereby.

32 Section 3. *And Be It Further Enacted*, that this Act shall take  
33 effect sixty (60) days from the date it becomes law.



BY THE COUNCIL

Read the third time.

Passed LSD 76-33 October 5, 1976 (with amendments)~~Failed x of x Passage~~

By order

Angela Markowski, Secretary

Sealed with the County Seal and presented to the County Executive  
for his approval this 6th day of October, 1976  
at 3:00 o'clock P.M.

Angela Markowski, Secretary

BY THE EXECUTIVE

APPROVED:

[Signature]  
County ExecutiveDate 10-13-76

BY THE COUNCIL

This Bill, having been approved by the  
Executive and returned to the Council, becomes  
law on October 13, 1976

Angela Markowski  
Angela Markowski, Council Secretary

EFFECTIVE DATE: December 12, 1976

rec'd for record 10/25/76 at 1:45 P.  
Same day recorded & examined, per  
H. Douglas Chilcoat, Clerk